



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED FOR LACK OF JURISDICTION: March 20, 2007

CBCA 637

AMERICAN BUSINESS CORPORATION,

Appellant,

v.

DEPARTMENT OF LABOR,

Respondent.

Jackie Black, President of American Business Corporation, Atlanta, GA, appearing for Appellant.

Audrey Roh and Dennis Adelson, Division of Management and Administrative Legal Services, Office of the Solicitor, Department of Labor, Washington, DC, counsel for Respondent.

Before Board Judges **GOODMAN**, **DRUMMOND**, and **SOMERS**.

GOODMAN, Board Judge.

This appeal was filed on January 9, 2007, by appellant from a Department of Labor contracting officer's final decision dated October 13, 2006, assessing damages against appellant arising from performance of a contract to provide placement and career transition services to Job Corps students residing in the state of Georgia.

By letter dated March 13, 2007, respondent's contracting officer withdrew the final decision, and respondent's counsel advised the Board thereof by letter dated March 15, 2007.

The Contract Disputes Act of 1978 provides that all claims relating to government contracts shall be the subject of decisions by contracting officers. 41 U.S.C. § 605(a) (2000). Without a contracting officer's final decision, there can be no appeal over which we have jurisdiction. *See, e.g., Monster Government Solutions, Inc. v. Department of Homeland Security*, DOT BCA 4532, 06-1 BCA ¶ 33,236, *aff'd on reconsideration*, 06-2 BCA ¶ 33,312; *Far Western Graphics, Inc.*, VABCA 7214, 05-1 BCA ¶ 32,829 (2004); *Zbigniew Ostaszewski v. Department of State*, GSBCA 16319-ST, 04-2 BCA ¶ 32,640.

Accordingly, as there is no appealable contracting officer's final decision, this appeal is **DISMISSED FOR LACK OF JURISDICTION**.

ALLAN H. GOODMAN
Board Judge

We concur:

JEROME M. DRUMMOND
Board Judge

JERI K. SOMERS
Board Judge